



## To the Administrator Addressed

Commissioner Mike Morath

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<b>Date:</b>	<b>June 25, 2021</b>
<b>Subject:</b>	<b>House Bill 4545 Implementation Overview</b>
<b>Category:</b>	<b>87<sup>th</sup> Regular Session Implementation</b>
<b>Next Steps:</b>	<b>Webinar registration to learn more</b>

### Overview

House Bill 4545 recently passed in the 87<sup>th</sup> Regular Legislative Session. The new statute is effective, as of June 16, 2021, with accelerated instruction practices required during the 2021-2022 school year for all students, based on results from Spring 2021. The Texas Education Agency (TEA) will be providing support and guidance for local education agencies (LEAs) during the summer in a few venues:

- This [TAA](#) provides highlights from the statute and some detail on how to interpret the implementation timeline and requirements.
- Along with this TAA, the TEA is releasing a [Frequently Asked Questions \(FAQ\) document](#) that will be continually updated and will provide more detailed guidance.
- The TEA will be releasing a series of webinars over the summer to share more detailed guidance and provide an opportunity for Q&A.
- The TEA will release best practices resources over the summer to support implementation, including accelerated learning committee, local board policy, high-impact tutoring resources, and parent engagement guidance and tools.

HB 4545 establishes new requirements for accelerated instruction for students who do not pass the State of Texas Assessments of Academic Readiness (STAAR®). At a high level, the legislation includes:

- Elimination of grade retention and retesting requirements in grades 5 and 8
- For any student who does not pass the STAAR test in grade 3, 5, or 8 in math or reading, a new LEA requirement to establish an accelerated learning committee to develop an individual educational plan for the student and monitor progress
- For any student who does not pass the STAAR test in grades 3–8 or STAAR (EOC) end-of-course assessments, clarification of prior accelerated instruction requirements, specifying that it must include either:
  - Being assigned a classroom teacher who is a certified master, exemplary, or recognized teacher or
  - Receiving supplemental instruction (tutoring) before or after school, or embedded in the school day

Each of these components of the legislation is described in greater detail below.

### **Implementation Timeline**

HB 4545 is effective immediately starting June 16, 2021, and it applies beginning with the 2021-2022 school year. LEAs should evaluate [spring 2021 STAAR scores](#) to identify students who will require accelerated instruction that complies with these new requirements during the 2021-2022 school year.

*For school year 2021-2022:*

Accelerated instruction: For any student who did not pass STAAR grades 3-8 or EOC assessments, accelerated instruction must be delivered in the 2021-2022 school year (starting in fall 2021) or subsequent summer of 2022. Accelerated instruction entails either 1) assigning a classroom teacher who is a certified master, exemplary, or recognized teacher, or 2) delivering supplemental instruction (e.g., tutoring) before or after school, or embedded in the school day and meeting HB 4545 requirements.

Accelerated instruction delivered in summer 2021 will only satisfy the HB 4545 requirements if the criteria for supplemental instruction were met. (See the Supplemental Instruction Requirements section below.)

Accelerated Learning Committees: LEAs are required to establish accelerated learning committees (ALCs) for students who did not pass the STAAR test in grades 3, 5, or 8 math or reading beginning at the start of the 2021-2022 school year, in August. However, LEAs may find it beneficial to start establishing these committees and developing individual student plans in summer 2021 for two reasons:

- Completing this work in the summer will position LEAs to start implementing plans at the start of the school year.
- Under HB 4545, parents have the right to request a different teacher. Establishing the ALC in the summer would provide a window of opportunity to address in advance parent requests for different teachers and manage staffing and scheduling accordingly.

Board policy: LEAs are also required to establish a board policy to manage parent grievances by August 2021 (“as soon as practicable after the effective date” of HB 4545, per Section 11 of the act).

The TEA will release further guidance and resources for ALC and board policy implementation by August.

*For school year 2022-2023 and beyond:*

The above guidance for accelerated instruction continues to apply in subsequent school years.

Accelerated Learning Committees in Future School Years:

Starting summer 2022, LEAs must establish ALCs and develop individual student plans after scores are received, which may take place before the end of that school year or during the summer and prior to the start of the school year, based on the latest STAAR results.

### **Additional Statutory Highlights**

#### Retention and Retesting Requirements

- A student in grade 5 or 8 is no longer required to be retained at the same grade level based on STAAR.
- Grade placement committees have been eliminated, though school systems still have the flexibility to retain students if deemed appropriate locally.
- In grades 5 and 8, there is now only one mathematics and reading testing opportunity. Prior law incorporated two retesting opportunities for students, if the

- students did not perform satisfactorily on the initial assessment.
- The optional STAAR EOC assessments for Algebra II and English III will no longer be offered.

#### Accelerated Learning Committees

- The accelerated learning committee must be comprised of:
  - The principal or the principal's designee
  - The student's parent or guardian, and
  - The teacher of the subject of an assessment on which the student failed to pass.
- No later than the start of the subsequent school year, an accelerated learning committee must develop an educational plan for a student that provides the necessary accelerated instruction to enable the student to perform at the appropriate grade level by the conclusion of the school year.
- The plan should detail the areas of accelerated instruction needed by the student, the plan for progress monitoring, assessment data, and the actions and tools that will be provided for the student.
- The plan must be documented in writing with a copy provided to the student's parent or guardian.
- If a student fails an assessment in the same subject in the subsequent school year, the superintendent or a designee must meet with the student's accelerated learning committee.

#### Supplemental Instruction Requirements

- Deliver targeted Texas Essential Knowledge and Skills (TEKS)-aligned instruction for the applicable grade level and subject areas.
- Be provided *in addition to* instruction normally provided to students in the grade level in which the student is enrolled.
- Be designed to assist the student in achieving satisfactory performance in the applicable grade level and subject area
- Not be scheduled such that a student is removed from any of the following:
  - Instruction in grade-level content for the foundation curriculum
  - Instruction in enrichment curriculum for the grade level in which the student is enrolled
  - Recess or physical activity that is available to other students enrolled in the same grade level.
- Be provided for no less than 30 hours total during the summer or subsequent school year. If provided during the subsequent school year, it should include instruction no less than once per week.
- If a student does not pass both math and reading STAAR tests, they will need to meet the 30 hour requirement for each of the two subject areas.
- Utilize effective instructional materials designed for supplemental instruction.
- Be delivered in a 1-on-1 or small group environment, with no more than 3 students in a small group.
- Be provided by an individual with training in aligned instructional materials and under the LEA's oversight. Ideally, the same individual provides tutoring continuously for the student's entire supplemental instruction period.

***\*This requirement will set up a significant need to rethink master schedules, develop high-impact tutoring programs, and set up data systems for tracking student process.***

#### HB 4545 Implementation Support Webinars

A series of webinars will be held to provide information regarding the components of HB 4545. You may register for the webinars by using the hyperlinked dates below.

- [July 1, 2021 at 10 – 11 am: HB 4545 Implementation Overview](#)
- [July 7, 2021 at 10-11am: HB 4545 Accelerated Instruction Requirements \(including Tutoring\)](#)
- [July 15, 2021 at 2 – 3 PM: HB 4545 Accelerated Learning Committees & Parent Engagement](#)

In addition, LEAs seeking to implement tutoring and other learning acceleration strategies may benefit from joining an introductory webinar on Texas COVID Learning Acceleration Supports (TCLAS), which includes tutoring supports for LEAs:

- [June 30, 2021, at 11-12 noon: TCLAS Overview](#)

Questions regarding the implementation of HB 4545 should be submitted in writing to [accelerated.instruction@tea.texas.gov](mailto:accelerated.instruction@tea.texas.gov). Answers will also be added on a rolling basis to the FAQ document.

### **Additional Resources**

[National Board Certified Teacher Directory](#)  
[Teacher Incentive Allotment Website](#)  
[Strong Start Tutoring Resources](#)